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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DOINA ALMAZON,

Plaintiff,

-against-

JP MORGAN CHASE BANK,

Defendant.

24-CV-5415 (VEC) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

In my Order Adjourning Case Management Conference, dated September 9, 2024 (Dkt. 21), I noted that defendant's motion to dismiss (Dkt. 9) was fully briefed. Since then, however, plaintiff filed an unauthorized sur-reply in further opposition to the motion (Dkt. 22) and defendant filed a letter objecting to the sur-reply and asking that the Court "reject" it. (Dkt. 23.)

"In this Court, '[l]itigation, including motion practice, is an ordered process. Local Civil Rule 6.1 provides for opening papers, opposition papers, and reply papers, in that order.'" *Sec. & Exch. Comm'n v. Gottlieb*, 2023 WL 6294328, at \*2 (S.D.N.Y. Sept. 27, 2023) (alteration in original) (quoting *Paravas v. Cerf*, 2022 WL 203168 (S.D.N.Y. 2022)). "Additional papers, filed without authorization from the Court, can be disregarded as unfair to the opposing party." *Id.*; see also *Lawtone-Bowles v. U.S. Bank Nat'l Ass'n as Tr. for Holders of MLMI Tr. 2002-AFC Asset-Backed Certificates, Series 2002-AFC1*, 2021 WL 1518329, at \*1 n.3 (S.D.N.Y. Apr. 16, 2021) ("The Court need not consider a sur-reply or sur-sur-reply where permission was neither sought nor granted, and Plaintiff's *pro se* status does not absolve her from complying with this Court's rules[.]") (citations omitted), *aff'd sub nom. Lawtone-Bowles v. Brown*, 2022 WL 839280 (2d Cir. Mar. 22, 2022).

The Court will disregard both plaintiff's unauthorized sur-reply and defendant's responding letter. In the absence of a material change in governing law, the Court will not accept further briefing on the motion to dismiss. "Should plaintiff persist in filing multiple or seriatim letter-briefs or other motion papers, beyond those permitted by Local Civ. R. 6.1 and [this Court's individual practices], the Court will not hesitate to strike them." *Adams v. Co-op City Dep't of Pub. Safety*, 2024 WL 402856, at \*3 (S.D.N.Y. Feb. 2, 2024).

Dated: New York, New York  
September 11, 2024

**SO ORDERED.**



**BARBARA MOSES**  
**United States Magistrate Judge**